



TRAFFIC LAW ENFORCEMENT PROCEDURES

PART 3 Contacting and Evaluating Violators



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7 Church Lane, Room #14
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(301) 484-6464

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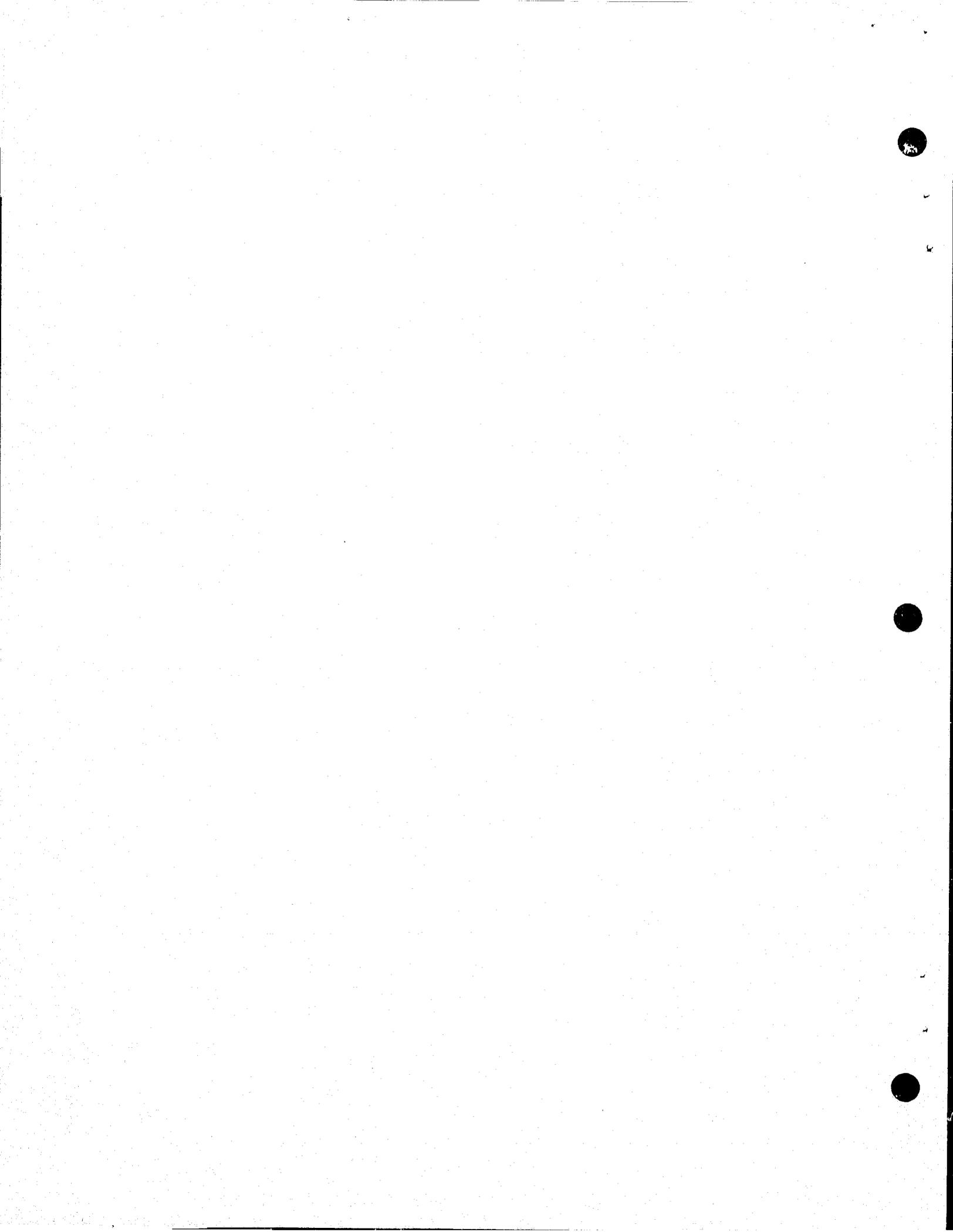
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TRAFFIC LAW ENFORCEMENT PROCEDURES, PART III
CONTACTING AND EVALUATING VIOLATORS

ABSTRACT

This unit is designed to provide students with an understanding of the beliefs and attitudes that may affect the behavior of a traffic violator and the police officer during a traffic law enforcement stop; guidelines for the officer in controlling the violator contact situation; and procedures to be employed while contacting traffic violators.

BEHAVIORAL OBJECTIVES

Upon completion of this self-instructional unit the student will be able to:

- Identify attributes common to many people which come into play in face-to-face situations.
- Describe the reasons why motorists often express frustration when stopped by a police officer.
- Identify a minimum of four attitudes or beliefs held by many drivers which can give rise to antagonistic feelings toward the police officer.

- Identify attitudes (expectations) which, if developed by the police officer, could elicit negative responses during contact with traffic law violators.
- List ways a police officer can control the violator contact situation so as to produce as pleasant a situation as possible.
- Identify the conditions a police officer should look for when contacting the violator.
- Describe the contact procedure to be used with violators as outlined in this unit.

HUMAN RELATIONS

Introduction

The success of the traffic law enforcement program in terms of positively shaping the behavior of traffic offenders is significantly affected by the way the officer handles the roadside contact with the violator.

- Firmness, tact and courtesy are the watchwords
- If the officer's conduct is businesslike and tactful, firm yet courteous, the chances that the law enforcement contact will constitute a positive learning experience for the violator are enhanced.

Common Attributes

In dealing with people, especially in face-to-face situations, it is important to understand some characteristic human feelings, including the

- Desire to feel important
- Desire to be treated with respect and to have interest expressed in one's thoughts and opinions
- Belief that one's way of doing things is the best way
- Desire to be free from arbitrary, unpleasant actions, especially those that constrain the individual's conduct.

Frustration

When an individual's course of action is blocked or constrained in any way, this can lead to uneasy feelings, to anxiety, or to frustration.

The mere fact that a motorist who is enroute to some destination is stopped momentarily gives rise to a feeling of frustration, which in turn can lead to hostile or aggressive behavior on the part of the driver. The police officer must be on guard to control any tendency to be angered in reaction to hostile or aggressive behavior on the part of the motorist.

Driver's Attitudes

There are a number of beliefs common to drivers that can have a direct bearing on how they behave when apprehended for a traffic violation. Any of the following attitudes can cause antagonistic feelings toward the police officer:

- Traffic law enforcement is a "game" in which the police should give advance notice of their presence.
- Traffic laws are for the reckless driver--"the other guy;" the driver had no intent to break the law; the action taken was necessary, even though illegal.

- Traffic citations are issued only to raise money, and there are quotas for citations and arrests.
- Police are unreasonable and enjoy making people suffer.
- Police regularly violate the laws they enforce.
- Rights of the driver are being violated.
- The officer should take into account the fact that the driver did not intend to break the law.
- Police show favoritism towards special interests and prejudice against certain social and age groups.

Police Officer Attitudes

There are attitudes that may be developed by the police officer that can jeopardize the violator contact situation, namely:

- Since the driver must have seen the police officer, he must be stupid to have committed the violation.
- The driver is attempting to get away with something.
- The driver is disrespectful and arrogant.

- The way to obtain public respect is to issue citations and make arrests.

Controlling the Situation

The police officer must control his own emotions and actions as well as attempt the same with the violator. To keep the violator contact situation as pleasant as possible, the officer should

- Gain control of his emotions before contacting the violator;
- Let the violator talk as much as possible so that he may relieve his tensions;
- Not intimidate, outrage, argue, or be sarcastic with the violator;
- Greet and address the violator in a courteous and business-like manner;
- Use positive statements rather than negative statements;
- Be alert for the unexpected and be prepared to take the appropriate action;
- Not be overly polite or friendly.

TO CHECK YOUR PROGRESS, PLEASE ANSWER THE FOLLOWING QUESTIONS.

Directions: Using your response sheet, circle the letter of the item which most correctly completes the following statements.

1. Which of the following characteristics of human feelings should NOT be considered by the police officer in a face-to-face traffic situation:
 - a. The driver's desire to feel important
 - b. The belief that one's way of doing things is the best way
 - c. The desire to live dangerously
 - d. The desire to be free from unpleasant actions

Directions: Circle A on your response sheet if the beliefs given below could have a direct bearing on the behavior of a driver apprehended for a traffic violation. Circle NA if the belief would not have a bearing on the driver's behavior.

2. Traffic law enforcement is a "game" in which the police should give advance notice of their presence.
3. Each person is responsible for observing the traffic laws of Maryland.
4. Traffic citations are issued only to raise money and there are quotas for citations and arrests.
5. Police show favoritism towards special interests and prejudices against certain social and age groups.

PLEASE CHECK YOUR RESPONSES WITH THE KEY ON PAGE XXV - 15 AND REVIEW THOSE ITEMS YOU MISSED BEFORE PROCEEDING.

VIOLATOR CONTACT PROCEDURES

General Considerations

When contacting the violator, the police officer should look for the following situations or conditions:

- Physical signs of possible violations, including the consumption of alcoholic beverages; drug abuse, suspicious vehicle damage that may have resulted from a hit-and-run accident; and indications of illegal vehicle conditions.

- Violator's behavior, including such indications of alcoholic (or drug) influence as the odor of alcoholic beverages, flushed face, disorganized appearance, slurred speech, incoherence, etc., or indications of illness, fatigue, or physically debilitating conditions.

Procedures

Upon approaching the violator and positioning himself properly, the officer should use the following contact procedures and any others that may be specified by his jurisdiction:

- Identify yourself, giving your name and agency

- Tell the violator the offense for which he has been stopped, using a courteous and positive manner.

- Politely ask for the driver's license and registration to be handed outside the open window. (These documents should be kept until the contact is terminated.) When asking for these papers, the officer should also ask the driver to state his name and address, and then evaluate the driver's speech.

- Accept only the license and registration documents. Do not accept a wallet or billfold. The officer should not reach into the car for the documents, and should be alert for, and tactfully resist, any bribe attempts.

- Verify the license and registration information. The officer should know the salient features of license registration forms used in the state (types of forms, format, information contained, etc.). The officer should ask questions of the driver and compare the answers to those listed on forms (for example, "Is this your current address?" "Do you wear glasses?" "What is your date of birth?").
Such questions related to driver characteristics serve to verify that the person is who the documents say he is and to test his psychomotor responses if alcohol or drug influence are suspected. The officer may, as permitted by Subtitle 6-112, Article 66 1/2, Maryland Motor Vehicle Laws, ask for the driver's signature in order to compare it to the specimen on the license;
 - Be careful to note any driving restrictions on the license and assess the driver's compliance with any such restrictions;
 - Scrutinize expiration dates;

- Look for evidence of alteration of recorded information;
 - Check vehicle characteristics against those listed on the registration form;
 - Do not hesitate to question driver or occupants about any uncertainties you perceive.
-
- Tell the violator the law enforcement action you intend to take (warning, citation, traffic arrest, Safety Equipment Repair Order). (The details for accomplishing this will be covered in a later unit.)
-
- If a traffic arrest is the law enforcement action taken, the officer should be familiar with the procedures established by his jurisdiction. The officer should be alert to determine whether or not the arrest requires giving the person arrested the Miranda warning concerning his constitutional rights. In any arrest, Maryland law requires that the person arrested be taken before a District Court commissioner or his duly authorized representative, where, if the arrest is deemed legal, the person arrested will either be released on bail or personal recognizance, or incarcerated. (See Unit XXVI, "Taking Law Enforcement Action," for further information on the Miranda warning and arrest procedures.)
-
- If the contact is terminated on the roadside, give the motorist his copy of the written warning, repair order, or citation, and then return the violator's license and registration; identify each document as it is returned.

- Terminate the contact in a cordial manner. The officer should
 - Review the nature of the violation until it is clear that the violator understands why enforcement action was taken against him;
 - Carefully review the steps the driver must follow in the case of a citation, including his option to pay a fine prior to the trial date or where and when he must appear as well as the consequences of failing to appear;
 - Avoid any legal counseling or predictions on fines that could be assessed;
 - Once the police officer is satisfied that the violator knows why he was warned or cited and what further action he must take, he should terminate the contact by thanking the driver for his cooperation and suggesting how he may avoid further difficulties of this nature. (See Unit XXVI for specific remarks to be made to the motorist receiving a Safety Equipment Repair Order.)

- Assist the driver in "resuming" his journey. Provide directions back to the main road, as necessary, and control traffic to assist the motorist. Before leaving the scene, verify that the motorist's vehicle is operative and that he is on his way.

- If the violator has no driver's license in his possession, the officer should
 - Routinely request and record the violator's full name

- and date of birth, return to the police vehicle, and radio-in for a driver's license check (10-27) and a check for wanted (10-29), supplying the dispatcher with the violator's reported name, date of birth, race, and sex;
- Attempt to verify the violator's name by requesting other identification documents, such as Selective Service card, credit cards, or voter registration;
- Take appropriate enforcement action following the procedures described above.
- If the violator has no vehicle registration in his possession, the officer should
 - Routinely request and record the name of the reported registered owner, return to the police vehicle, and radio-in for a registration check (10-28) by supplying the dispatcher with the registration number displayed on the vehicle (license plate) and a check for stolen (10-29);
 - Compare the State Motor Vehicle Administration registration information provided against the violator's vehicle;
 - Take appropriate enforcement action following the procedures described above.

TO CHECK YOUR PROGRESS PLEASE ANSWER THE FOLLOWING QUESTIONS.

Directions: Using your response sheet, circle the letter of the item which most correctly completes the following statements.

6. When contacting the violator, the police officer should look for physical signs of possible violations, including:

- a. Suspicious vehicle damage
- b. Flushed face of the driver
- c. Odor of alcoholic beverages
- d. All of the above

7. Which of the following behaviors should be observed to get an indication of the driver's condition:

- a. Slurred speech
- b. Disorganized appearance
- c. Indication of physically debilitating conditions
- d. All of the above

8. When stopping a traffic violator, the police officer should:

- a. Identify himself by name
- b. Politely request the driver's license and registration
- c. Ask the driver to state his name and address
- d. All of the above

Directions: Circle the letter P on your response sheet if the officer should follow the procedure given below in making a traffic stop. Circle NP if the procedure given is not correct.

9. Request the driver to move over so you can sit in the driver's seat while talking to the driver.
10. Note any restrictions on the license and assess the driver's compliance with such restrictions.
11. Look for evidence of alteration of recorded information.
12. Leave the scene immediately after giving the citation in order not to infuriate the driver further.

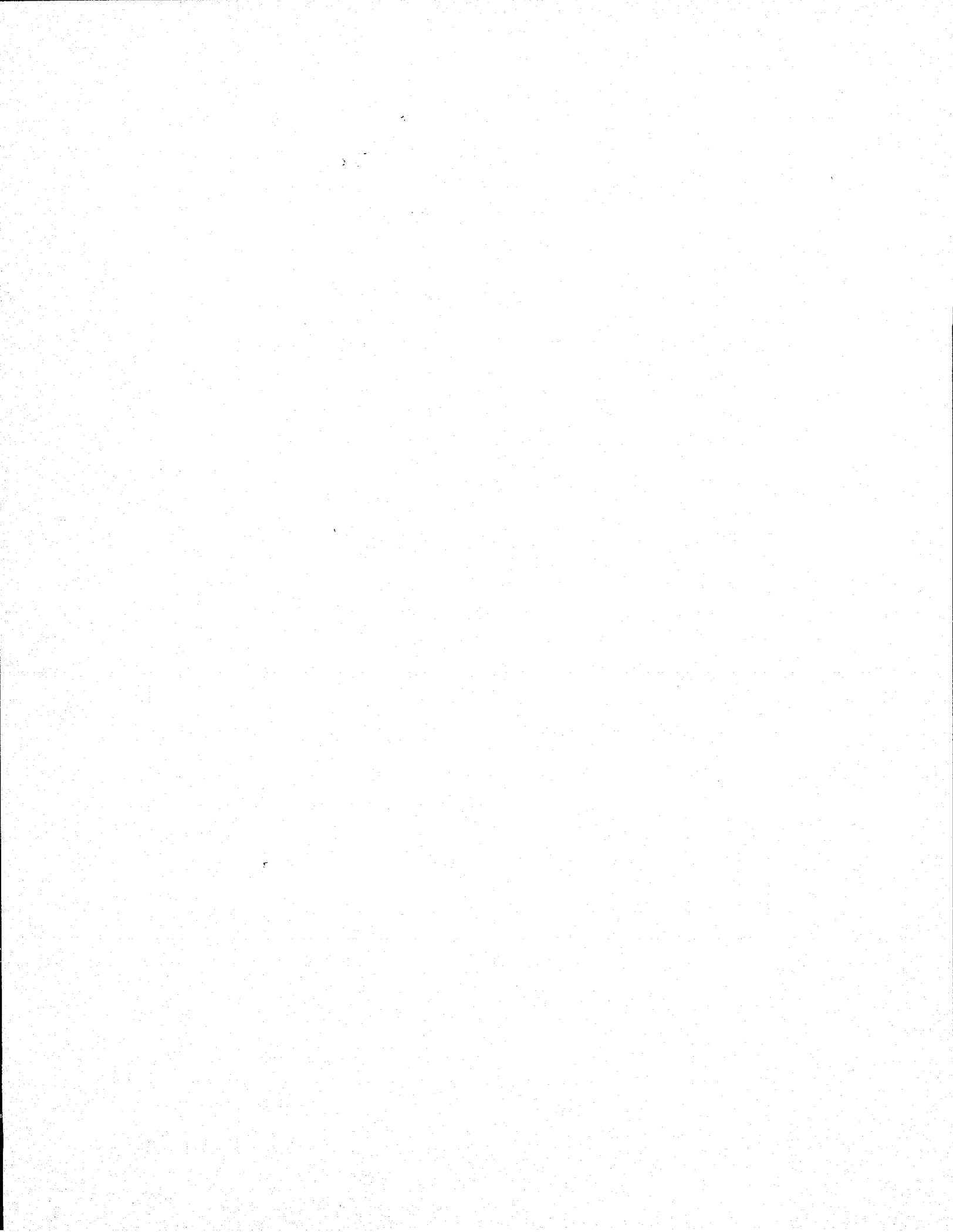
PLEASE CHECK YOUR RESPONSES WITH THE KEY ON PAGE XXV - 15
AND REVIEW THOSE ITEMS YOU MISSED BEFORE TAKING THE POSTTEST.

THIS COMPLETES SELF-INSTRUCTIONAL UNIT XXV.

XXV

KEY TO EMBEDDED QUESTIONS

	Refer to Page XXV -
1. c. The desire to live dangerously	3
2. A	4-5
3. NA	4-5
4. A	4-5
5. A	4-5
6. a. Suspicious vehicle damage	8
7. d. All of the above	8
8. d. All of the above	8-9
9. NP	8-12
10. P	8-12
11. P	8-12
12. NP	8-12



END